

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

David J. Thomsen

Application No.: 10/806,044

Confirmation No.: 9996

Filed: March 22, 2004

Art Unit: 2161

For: SYSTEM AND METHOD FOR PROVIDING
OCCUPATIONAL INFORMATION

Examiner: C. L. Daye

Declaration of David J. Thomsen Under 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, David J. Thomsen, declare and state that:

1. I am a sole inventor of the invention described and claimed in U.S. Patent Application No. 10/806,044, filed March 22, 2004, which claims priority to 60/456,838, filed March 21, 2003. This declaration establishes invention in this country prior to February 24, 2003, which is the filing date of U.S. Published Patent Application No. 20040172311 A1 ("Kauderer").

2. I conceived of the invention in the United States, as recited in currently presented claims 3 and 10-12, prior to February 24, 2003. My conception and reduction to practice of the invention are corroborated by a document entitled "ERI Update: Volume 60" (attached to this Declaration as "Exhibit A"). This document describes a beta version of the eDOT product, which is an actual reduction to practice of aspects of the invention. The dates on Exhibit A have been redacted, consistent with MPEP § 715.07, "Establishment of Dates."

3. More specifically, I conceived of a system and method that included providing and collecting information associated with a collection of occupational information including a collection of occupational titles and data measures for each of the occupational titles in the collection (*see, e.g.,* Exhibit A page 1, paragraph 2), providing a publicly available web site for users of occupational information, wherein the publicly available web site allows the users of occupational information to access information associated with the collection of occupational information and to contribute information used to update the collection of occupational information (*see, e.g.,* Exhibit A page 2, "Job Analysis and Field Audits"); providing access to information recently contributed via the publicly available web site, wherein the recently contributed information includes information contributed using questionnaire forms accessible from the publicly available web site (*see, e.g.,* Exhibit A page 2, "The ERI eDOT Project" Flow Chart); and updating the collection of occupational information based on receiving a submission of a questionnaire form accessed from the publicly available web site and at least partially completed, wherein the questionnaire form does not specify a current or anticipated job opening, and wherein the updating includes either (a) adding a new occupational title and associated non-economic data measure information to the collection of occupational information or (b) modifying non-economic data measure information associated with an occupational title that already exists in the collection of occupational information (*see, e.g.,* Exhibit A pages 1 and 2).

4. The system and method that I conceived of prior to February 24, 2003, further included, for example:

- maintaining a collection of occupational information including descriptions of specific occupations (*see, e.g.,* Exhibit A page 1, paragraph 2);
- providing end users with access to the collection of occupational information, including providing access to a questionnaire for receiving input from a user of the collection, wherein the questionnaire is for association with a specified occupation for which information is maintained in the collection of occupational information, wherein the questionnaire is a structured job

analysis questionnaire configured to obtain non-economic worker measure information for the specified occupation, and wherein the questionnaire is not configured for specifying job opening information (*see, e.g.*, Exhibit A page 2, "The ERI eDOT Project" Flow Chart); and

- receiving the questionnaire from the end user; analyzing the information in the received questionnaire; providing the user with results of the analysis of the questionnaire; and updating the collection of occupational information to include information extracted from the questionnaire (*see, e.g.*, Exhibit A pages 1 and 2).

5. After conceiving of this invention, from prior to February 24, 2003, to March 22, 2004, I pursued it diligently by at least the following acts: implementing and testing the invention, participating in the preparation and filing of a provisional patent application, which was filed on March 21, 2003, and filing the non-provisional patent application on March 22, 2004.

6. I further declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true; and further, that the statements are made with the knowledge that the making of willful or false statements or the like is punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and may jeopardize the validity of any patent issuing from this patent application.

Dated this 27th day of June, 2007



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